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Approved For Release 2001/03/04 : CIA-RDP80-01446R000100020010-4

24 April 1956

MEMORANDUM FOR: Chief, SRS/DDI

SUBJECT: DCI Speech to the Pennsylvania Law Review

1. My only comments concern the Italians example cited from the bottom of page 7 through page 8.

2. While it is true that the "Legge truffa" had some bad psychological effects on the electorate, the fact is that the center group actually won the 1953 election. There were something under a million challenged votes which were not counted in the immediate election totals. The mechanism for examining these challenged votes was archaic and extremely inefficient. It took some months to examine the first 100,000 of them. By that time it was clear that a high percentage of the challenged votes were valid and were overwhelmingly for the center group. It was clear that were all the challenged votes to be examined, and the valid ones counted, the CD Party and its allies would be seen to have won the election by several hundred thousand votes, the premium would have been obtained, and many parliament mandates would have had to be reassigned. Any action along these lines however at that late date, already some months after the elections, would have raised impossible political questions, the examination of challenged votes was stopped and the matter died.

3. Perhaps the actual lesson to be deduced from the 1953 "Legge truffa" case is not that manipulation of the electoral law in this case was ineffective, but that it was not accompanied by an adequate control system and efficient recount system able to defeat Communist use of the challenged vote mechanism.

4. Regarding the last paragraph on page 8, the CD Party has generally been reluctant to change the election law for the administrative elections coming up in May. They have acceded, however, largely because the existing law was in somewhat bad odor, thanks to Leftist propaganda, and because the minor center parties (especially the PSDI) had taken an extremely strong stand in favor of a revised law under which they believed that they would do better than they had under the 1953 system.

4. As to the exact terms of the new law, there is considerable uncertainty here. Neither WE Division nor the State Department desk has a copy of the actual text of the law. On the basis of the analysis that we have seen, however, I understand that it calls for a mixed proportional

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system in communes over 10,000 population, and a majority system in the smaller communes. The law also forbids the practice of linked lists (col-legamento) in the larger communes where the proportional system is applied.

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